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AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

I, Alexander Feres, being duly sworn depose and state:

1. I have been employed as a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI) since November 2008. I am presently assigned to Special Agent in Charge (SAC) Baltimore within the Document and Benefit Fraud Task Force (DBFTF) Investigative Group. During my tenure as a Federal Investigator, I have participated in several investigations involving document/identity fraud, identity theft, contraband smuggling, and narcotics violations. These investigations have included the use of surveillance techniques, and the execution of search and arrest warrants. I have successfully completed the twelve-week Criminal Investigator Training Program and the twelve-week Special Agent Training Program located at the Federal Law Enforcement Training Center.

2. I submit this Affidavit in support of a search warrant authorizing the search and examination of cellular phones, laptop computers, and a global positioning system (GPS) device seized pursuant to arrests and searches. Your Affiant submits that there is probable cause to believe that evidence relating to the crimes of Conspiracy in violation of Title 18, United States Code Section 371; Interstate Transportation of Stolen Property in violation of Title 18, United States Code Section 2314; Identification Document Fraud in violation of Title 18, United States Code Section 1028; and Aggravated Identity Theft in violation of Title 18, United States Code Section 1028A, will be found in the cellular phones, laptop computers, and GPS device discussed herein. The subject devices of this warrant application, which are more fully described within this Affidavit, are described as follows:

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AT BALTIMORE
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DISTRICT OF MARYLAND
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a. The following devices were recovered as a result of arrests conducted by the Montgomery County Police Department on March 13, 2013, and the subsequent search warrants executed at the target residence and the target vehicle:

- 1 BlackBerry Cellular Phone, IMEI 357437047953172
- 2 BlackBerry Cellular Phone, IMEI 355881040954285
- 3 BlackBerry Cellular Phone, IMEI 353491049526985
- 4 BlackBerry Cellular Phone, IMEI 353491046848317
- 5 Garmin GPS, Serial number 2C2164789
- 6 BlackBerry Cellular Phone, IMEI 356186045368187
- 7 BlackBerry Cellular Phone, IMEI 353491040750295
- 8 Acer Laptop, Serial number LU5620B011910267791601
- 9 Samsung Laptop, Serial number HY3C91DCB00166N
10. Apple Laptop, Serial number K64LT8B2C7BG

3. Since their seizure, all subject devices have been stored in a secure location and are presently held by the Department of Homeland Security located at 31 Hopkins Plaza, Baltimore, MD 21201.

4. I have not included all information known to investigators in this affidavit. I have attempted to include information that is relevant to a determination of probable cause. In addition, statements contained in this affidavit are based on information provided to me by other law enforcement agents and other individuals involved in this investigation. All information contained in this Affidavit, from whatever source derived, is either personally known to me or has been related to me by other sworn law enforcement personnel.

Introduction

5. On December of 2012, HSI Houston Agents assigned to the DBFTF obtained information that several Colombian Nationals were residing in the United States utilizing stolen or purchased Puerto Rican identities and documents. Further investigation revealed that these

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Colombian nationals were also involved in home invasions and burglaries throughout the United States.

6. On February 26, 2013, HSI Houston provided HSI Baltimore information that Neftali PEREA, Roger MINA, and an individual named Adonis MORALES, were preparing to travel from Houston, Texas to Maryland to commit home invasions and burglaries. HSI Houston indicated that PEREA, MINA, and MORALES were linked to a loosely-based criminal enterprise consisting of various burglary crews operating out of Houston, Texas (hereafter "Burglary Crews"). HSI Houston also indicated that there was reason to believe that PEREA, MINA, and MORALES previously committed home invasions and burglaries in the state of Maryland.

7. HSI Houston indicated that the crews targeted Asian and Indian business owners believing that their homes would contain large amounts of cash and jewelry. HSI Houston indicated that the Burglary Crews utilized a similar method when conducting home invasions and burglaries. HSI Houston also indicated that the crews would wait until the homes were vacant and it was late at night with limited visibility. The crews would then approach a side-entry door of the home and bust open a window or a glass door pane to achieve entry. Once inside, the crews would attempt to disrupt home security alarms by ripping off the alarm panels. The crews would take all the currency, jewelry, and safes immediately visible and exit the same way they made entry. HSI Houston further indicated that the crews would ship the proceeds of the home invasions utilizing FedEx or transport the proceeds in their vehicles back to Houston. HSI Baltimore was provided the cellular phone numbers believed to belong to PEREA (832-310-8191), MINA (832-279-5382), and MORALES (832-282-9805). HSI Baltimore was also informed that the targets would be utilizing a 2009 black Toyota Camry bearing license plate

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BKF1864 to travel from Houston to Baltimore. HSI Houston further indicated that PEREA, MINA, and MORALES would be residing at 3531 West Springs Drive, Apartment F, in Ellicott City while in Maryland.

8. HSI Houston further indicated that their investigation revealed that Burglary Crews, such as PEREA, MINA and MORALES, used laptop computers to search for businesses owned by individuals of Asian or Indian origin in the areas where they were engaged in burglaries, and the used databases to obtain the home addresses for the owners of these businesses.

9. Information gathered also indicated that two individuals identified in this organization, PEREA, utilizing the Puerto Rican alias Rafael Martinez-RODRIGUEZ, and MINA, utilizing the Puerto Rican alias Jesus MACHADO appear to be Colombian nationals currently residing in the United States without proper Immigration status. These individuals appear to have utilized fraudulent Puerto Rican birth certificates to obtain social security cards to further their false identities.

10. Further investigation also indicates that PEREA may be involved in an aggravated home burglary that took place on April 1, 2010 at Richmond, Texas. According to the investigation conducted by the Fort Bend County Sheriff's Office, several black males and a black female forcibly entered a residence and tied up the two home owners. The suspects then stole money and an assortment of items before exiting the residence. One of the suspects left an article of clothing that contained DNA. Once the DNA was analyzed a positive match was established for PEREA based on a previous arrest. The male victim of the burglary identified PEREA as one of the black males that participated in the burglary.

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11. On February 26, 2013, with the assistance of HSI Houston and Baltimore, Howard County Police Department obtained the lease agreement for apartment 3135 West Springs Drive, Apartment F, Ellicott City, Maryland 21043. Based on the lease agreement, Rafael RODRIGUEZ-Martinez and Jesus A. SERRANO-Machado were listed as the co-applicants of the apartment. As previously mentioned in the affidavit, these are known Puerto Rican identities utilized by PEREA and MINA. MORALES is also listed in the lease agreement as the point of contact for MINA. Additionally, PEREA provided the contact number 832-310-8191 and MINA provided the contact number 832-279-5382. The apartment was leased on February 9, 2013.

12. In conjunction with information received from HSI Houston and Baltimore, the Howard County Police Department obtained a pen register, trap and trace, and GPS tracking order for the following cellular phones believed to be utilized by PEREA, MINA, and MORALES: 832-310-8191; 832-282-9805; 832-279-5382. GPS coordinates produced from the cellular phones indicated that the phones were initially in the Houston area. Continual monitoring of the phones indicated that the cellular phones were traveling Northbound eventually stopping for approximately twenty-four hours in Louisiana. Additional monitoring of the phones indicated eventual movement northbound from Louisiana heading northeast.

13. On March 8, 2013, Howard County Police Department established visual surveillance on PEREA, MINA, and MORALES. The three suspects were observed in a black 2009 Toyota Camry bearing Texas license plate BKF1864. The vehicle was traveling on Route I-81 approaching the Maryland state line. A subsequent monitor of the GPS location of the cellular phones also confirmed that the target cellular phone numbers were within northern Virginia. During surveillance, Howard County Police Department was able to confirm that the

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driver of the Camry was PEREA. An MVA database check of the vehicle indicates the vehicle registered to Sandy Camacho at 10878 Westheimer Road, #137, Houston, Texas 77042.

Additionally, the address registered to the vehicle matches an address involving a domestic package that was seized by the Indiana State Police at a FedEx facility in Indiana on February 1, 2013. The package had been shipped from 1924 York Road, Timonium, Maryland. A search warrant was executed on the package which inside contained \$105,000 United States Currency and assorted jewelry. Photographs depicting the manner that the currency was packaged and the assortment of jewelry was sent to Howard County Police Department and later identified by victims of a home burglary that took place in Howard County.

14. On March 9, 2013 at approximately 1045hrs, HSI Baltimore, and Howard County Police Department observed PEREA, MINA, and MORALES arrive at 3135 West Springs Drive, Ellicott City, Maryland. PEREA was observed driving and parking the vehicle in the front handicap parking space outside apartment building 3135. PEREA, MINA, and MORALES were observed exiting the vehicle and entering Apartment F. At approximately 1200hrs, Howard County Police Department successfully installed a GPS tracking device on the target vehicle pursuant to a state warrant. HSI Baltimore also established video surveillance on the front entrance door of Apartment F.

15. Your affiant knows through training, knowledge and experience that individuals who conspire to commit the type of offenses described previously in this affidavit, require a considerable amount of communication between themselves and other conspirators. Specifically, I know that such conspirators use cellular telephones and/or computers to communicate; and that these devices can serve to log and record evidence of and fruits from criminal activities. Additionally, I know that cellular telephones are utilized for purposes other

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than making phone calls, including sending and receiving SMS or "text" messages, as well as sending or receiving emails. I also know that this information is often stored in the memory of cellular telephones for a period of time.

The March 13, 2013 Traffic Stop And Subsequent Arrest

16. On March 13, 2013, at approximately 1900hrs, HSI Baltimore, Howard County Police Department, and Montgomery County Police Department observed PEREA, MINA, and MORALES exit 3135 West Springs Drive, Apartment F and enter the black 2009 Toyota Camry. PEREA was observed entering the front driver's side of the vehicle, MINA was observed entering the front passenger side of the vehicle and MORALES was observed entering the back of the vehicle.

17. PEREA was observed driving the vehicle out of the parking lot and mobile surveillance was maintained. Surveillance observed the target vehicle traveling southbound on I-29 and eventually crossing into Virginia. At this point in the operation, Montgomery County Police Officers maintained visual surveillance on the target vehicle. Once the target vehicle crossed into Virginia, Montgomery County Police Officers observed the vehicle enter a neighborhood in Loudoun County, Virginia and observed the vehicle weaving in and out of the neighborhood several times before stopping at a residence. At this juncture, Montgomery County Police Officers observed MORALES exiting the back of the target vehicle and approaching 42231 Paradise Place. Moments later, Montgomery County Police Officers observed MORALES exit the residence and enter the target vehicle.

18. Montgomery County Police Officers observed the target vehicle leave the area and proceeded to conduct surveillance on the vehicle as it crossed back into Maryland. While maintaining surveillance, the Loudoun County Sheriff's Office verified that a burglary had been

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committed at 42231 Paradise Place, with entry having been made by breaking a glass pane in a door.

19. At approximately 2330hrs, Montgomery County Police Officers conducted a traffic stop of the target vehicle on Route 40 near Rogers Avenue and placed all occupants under arrest for the burglary committed in Loudoun County, Virginia. During the execution of the vehicle stop, Montgomery County Police Officers observed the PEREA appear to be quickly eating unknown objects. MORALES was observed in the rear seat of the vehicle taking apart his cellular phone. A **BlackBerry cellular phone, IMEI 353491046848317** was seized from PEREA incident to arrest and a **BlackBerry cellular phone, IMEI 353491049526985** was seized from MINA incident to arrest.

20. A tow truck was then ordered for the target vehicle to the Montgomery County Precinct located at 2300 Randolph Road, Wheaton, Maryland. A search and seizure warrant was obtained for the target vehicle. In the vehicle, police found an assortment of jewelry inside the left and right front pockets of a jacket that was located in the rear seat of the vehicle. Inside the center console, police found a piece of paper that consisted of a list of addresses. Several of the addresses on the list were linked to open burglary investigations in Howard County and Anne Arundel County. Also recovered were the following electronic devices: **BlackBerry Cellular Phone, IMEI 356186045368187; BlackBerry Cellular Phone, IMEI 353491040750295; Garmin GPS, Serial number 2C2164789.**

21. On March 14, 2013 at approximately 0330hrs, Howard County Police conducted a search and seizure warrant on the target apartment at 3135 West Springs Drive, Apartment F, Ellicott City, Maryland. The following electronic devices were recovered: **BlackBerry Cellular Phone, IMEI 357437047953172; BlackBerry Cellular Phone, IMEI**

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355881040954285; ACER Laptop, Serial number LU5620B011910267791601; Samsung Laptop, Serial number HY3C91DCB00166N; Apple Laptop, Serial number K64LT8B2C7BG.

Conclusion

22. Based on the preceding information, your affiant asserts that there is probable cause to believe that evidence relating to the crimes of Conspiracy in violation of Title 18, United States Code Section 371; Interstate Transportation of Stolen Property in violation of Title 18, United States Code Section 2314; Identification Document Fraud in violation of Title 18, United States Code Section 1028; and Aggravated Identity Theft in violation of Title 18, United States Code Section 1028A, will be found in the cellular phones, computer, and thumb drives currently being held by the Department of Homeland Security located at 31 Hopkins Plaza, Baltimore, MD 21201.

Alex D. Feres

Alexander Feres
Special Agent
Homeland Security Investigations

Subscribed and sworn before me on

This 20th day of March 2013.

The Honorable
United States Magistrate Judge

Stephanie A. Gallagher

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ATTACHMENT A

Description of Items to be Searched

1. BlackBerry Cellular Phone, IMEI 357437047953172
2. BlackBerry Cellular Phone, IMEI 355881040954285
3. BlackBerry Cellular Phone, IMEI 353491049526985
4. BlackBerry Cellular Phone, IMEI 353491046848317
5. Garmin GPS, Serial number 2C2164789
6. BlackBerry Cellular Phone, IMEI 356186045368187
7. BlackBerry Cellular Phone, IMEI 353491040750295
8. Acer Laptop, Serial number LU5620B011910267791601
9. Samsung Laptop, Serial number HY3C91DCB00166N
10. Apple Laptop, Serial number K64LT8B2C7BG

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ATTACHMENT B

Description of Items to be Seized

The following evidence, fruits, and instrumentalities of violations of Conspiracy in violation of Title 18, United States Code Section 371; Interstate Transportation of Stolen Property in violation of Title 18, United States Code Section 2314; Identification Document Fraud in violation of Title 18, United States Code Section 1028; and Aggravated Identity Theft in violation of Title 18, United States Code Section 1028A, as described in the supporting affidavit, including the following:

1. Documents, software, information, and data relating to the researching of burglary targets, the commission of burglaries, the transportation or shipping of stolen property across state lines, and the obtaining or use of fraudulently-obtained identity documents bearing the personal identity information of individuals other than PEREA, MINA, and MORALES.
2. Information concerning locations where PEREA, MINA and MORALES drove, as recorded on independent GPS devices as well as GPS-capable cell phones.
3. Contact lists, call logs, text messages, emails, and other recorded communications between and among PEREA, MINA, and MORALES and other co-conspirators.
4. Photographs of members of the conspiracy, photographs of locations "cased" for possible burglary, photographs taken before, during or after burglaries, and photographs of property stolen during burglaries.
5. Documents or data concerning travel plans of Burglary Crews, research and selection of burglary targets, shipping of stolen merchandise, transportation of stolen merchandise, and sale or disposition of stolen merchandise.

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6. False identifications, birth certificates, Social Security Cards and other false supporting documents relating to the aliases of PEREA and MINA.
7. Any other evidence of association or communication between members of the conspiracy.

Search Procedure

8. Any of the items described in paragraphs 1 through 14 above which are stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer with the aid of computer-related equipment, including floppy diskettes, fixed hard disks, or removable hard disk cartridges, software or memory in any form. The search procedure of the electronic data contained in computer operating software or memory devices shall include the following techniques which shall be used to minimize the risk that those conducting the search will view information not within the scope of the warrant:

(a) Initially searching for files without viewing content by use of known "hash values" for known images of merchandise;

(b) surveying various file "directories" and the individual files they contain (analogous to looking at the outside of a file cabinet for markings it contains and opening a drawer believed to contain pertinent files);

(c) "opening" or cursorily reading the first few "pages" of such files in order to determine their precise contents;

(d) "scanning" storage areas to discover and possibly recover recently deleted files;

(e) "scanning" storage areas for deliberately hidden files; or

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(f) performing key word or other search and retrieval searches through all electronic storage areas to determine whether occurrences of language contained in such storage areas exist that are intimately related to the subject matter of the investigation.

9. If after performing these procedures, the directories, files or storage areas do not reveal evidence of counterfeit merchandise or other criminal activity, the further search of that particular directory, file or storage area, shall cease.